

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

LANCE M. WHITE, SR.)
Plaintiff,) Civil Action No. 10-0464
v.) District Judge Donetta W. Ambrose
THE PENNSYLVANIA STATE POLICE,) Magistrate Judge Cynthia Reed Eddy
et al.,)
Defendants.

MEMORANDUM ORDER

On April 9, 2010, Lance White filed a civil rights complaint seeking compensatory damages and release from custody pursuant to 42 U.S.C. § 1983, against numerous named Pennsylvania State Troopers, the Governor of Pennsylvania and Pennsylvania Attorney General's Office, the Butler County Public Defenders Office, and other unnamed Pennsylvania State Troopers and employees, alleging that he is a state prisoner whose constitutional rights were violated when he was falsely arrested and then falsely prosecuted, convicted and sentenced for narcotics offenses in Pennsylvania. The case was referred to a United States Magistrate Judge for pretrial proceedings in accordance with the Magistrate Judges Act, 28 U.S.C. § 636(b)(1), and the local rules of court.

On April 25, 2012, the Magistrate Judge filed a Report and Recommendation [ECF No. 42] recommending that Plaintiff's case be dismissed with prejudice for failing to comply with numerous court orders and failure to prosecute by failing to provide the Court with proper service documents.

Plaintiff filed Objections to the Report and Recommendation on May 11, 2012 [ECF No.

44]. Plaintiff's Objections do not address the deficiencies in Plaintiff's service instructions and forms and, instead, reiterate the factual underpinnings of his claims on their merits. Defendants have yet to be served because of Plaintiff's refusal or inability to comply with numerous court orders directing him to file the requisite service instructions and forms, and his objections do nothing to undermine the recommendation of the Magistrate Judge.

After *de novo* review of the pleadings and documents in the case, together with the Report and Recommendation, and the Objections thereto, the following order is entered:

AND NOW, this 15th day of May, 2012,

IT IS HEREBY ORDERED that the Report and Recommendation [ECF. No. 42] dated April 25, 2012, recommending that Plaintiffs case be dismissed with prejudice for failing to comply with numerous court orders and failure to prosecute by failing to provide the Court with proper service documents, is **ADOPTED** as the Opinion of the Court. This case is therefore **DISMISSED** with prejudice for failure to prosecute.

IT IS FURTHER ORDERED that the Clerk of Court shall mark this case **CLOSED**.

AND IT IS FURTHER ORDERED that pursuant to Rule 4(a)(1) of the Federal Rules of Appellate Procedure, Plaintiff has thirty (30) days to file a notice of appeal as provided by Rule 3 of the Federal Rules of Appellate Procedure.

By the Court:



Donetta W. Ambrose
United States District Judge

cc:

Lance M. White, Sr., Pro Se
JA-8797
1 Kelley Drive
Coal Township, PA 17866